

Press Release

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Azerbaijan: "Freedom of expression must be protected as a matter of priority" says Commissioner Hammarberg

Baku, 05.03.2010 - Freedom of expression, situation of non-governmental organisations, respect of human rights by law enforcement officers, and the administration of justice were the main themes of the visit to Azerbaijan from 1-5 March 2010 by the Council of Europe Commissioner for Human Rights, Thomas Hammarberg.

During the visit the Commissioner met President Ilham Aliyev, the Minister of Internal Affairs, Ramil Usubov, the Minister of Justice, Fikrat Mammadov, the Deputy Minister for Foreign Affairs, Mahmud Mammad-Guliyev, the Prosecutor General, Zakir Garalov, and the Head of the Azerbaijani delegation to the Parliamentary Assembly of the Council of Europe, Samed Seyhidov. Other interlocutors included the Ombudsperson, Elmira Suleymanova, and representatives of civil society.

The Commissioner also went to prisons where he talked with the journalists Ganimat Zahidov and Eynulla Fatullayev, and the two youth activists Emin Abdullayev and Adnan Hajizadeh.

The Commissioner noted the ongoing discussions regarding the decriminalisation of defamation. He also took note of the concerns expressed by various interlocutors regarding recent changes to legislative framework which could have a negative impact on journalists' activities.

Decriminalisation of defamation is an essential step for the protection of freedom of expression, but it is not sufficient. There is also the need to ensure that there is no selective application of criminal law provisions against journalists or other persons due to the views or opinions expressed by them.

Commissioner Hammarberg raised the issue of registration of non-governmental organisations with the Minister of Justice, who agreed that the processing of requests for registration should take place in a prompt and efficient manner. The aim should be to promote freedom of association, in line with Article 11 of the European Convention on Human Rights.

The Azerbaijani authorities informed the Commissioner of various initiatives to enhance the human rights training of law enforcement officials. Training should be part of a comprehensive and ongoing strategy to instill a solid foundation of human rights values throughout the law enforcement profession. The authorities informed the Commissioner that there had been cases where complaints against police officers had led to the initiation of criminal proceedings. The Commissioner urged the authorities to guarantee a prompt and effective investigation of all allegations of torture and ill-treatment with the imposition of appropriate sanctions.

Proper administration of justice and the right to a fair trial were raised during the Commissioner's discussions, having regard to the fact that the European Court of Human Rights has found several violations of Article 6 of the Convention in respect of Azerbaijan. The Commissioner welcomed the initial steps taken to remedy the excessive resort to pre-trial detention.

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For the first time Commissioner Hammarberg visited the Autonomous Republic of Nakhchivan, where he met the Chairman of the Supreme Council, Vasif Talibov, as well as the Ombudsperson, Ulkar Bayramova, and NGO representatives. This visit provided an opportunity for initiating a dialogue on human rights issues with the authorities of Nakhchivan.

A report on the visit will be published later in the spring.

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